

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION**

**ROY HOLMES, TINA ALEXANDER, PATRICK
NORRIS and MELISSA GARNER, Each Individually
and on Behalf of All Others Similarly Situated**

PLAINTIFFS

v.

CASE NO. 4:20-cv-191-DPM

STETSON COURIER, INC. and JOHN STETSON

DEFENDANTS

**SEPARATE DEFENDANT JOHN STETSON’S ANSWERS AND RESPONSES TO
PLAINTIFFS’ FIRST SET OF POST-JUDGMENT INTERROGATORIES AND
REQUESTS FOR PRODUCTION OF DOCUMENTS**

COMES NOW Separate Defendant John Stetson (“Separate Defendant”), by and through his attorneys, Rose Law Firm, P.A., and for his Answers and Responses to Plaintiffs’ First Set of Post-Judgment Interrogatories and Requests for Production of Documents, does hereby state as follows:

PRELIMINARY STATEMENT

The following Responses to Plaintiffs’ First Set of Post-Judgment Interrogatories and Requests for Production of Documents (Responses) are made solely for the purpose of, and in relation to, this action. Separate Defendant’s Responses are based upon the present knowledge, information, and belief presently known or believed by Separate Defendant. Consequently, the following Responses are given without prejudice to Separate Defendant producing evidence of any subsequently-discovered or assimilated facts, and Separate Defendant reserves the right to modify or supplement these Responses as appropriate. All Responses must be construed as given on the basis of present knowledge and recollection. Separate Defendant reserves the right to

supplement these Responses in a manner consistent with any applicable order of the Court and with the Federal Rules of Civil Procedure. The preceding information is incorporated into each of the following responses as if set forth in full.

INTERROGATORY NO. 1: State the full name, address and telephone number of all your employers or businesses during the period in question and state the nature of your present occupation.

ANSWER: Separate Defendant objects on the basis that the phrase “period in question” is ambiguous because it is not defined. Separate Defendant will supplement his answer upon Plaintiffs’ clarification of the ambiguous phrase.

INTERROGATORY NO. 2: Separately list the names, phone numbers, addresses, email addresses, and websites of each and every individual or business that is indebted to you, including but not limited to, banks or contractors, and state the monetary amount for which each individual or business is indebted to you, and whether the indebtedness is one-time or recurring.

ANSWER: Counsel for Separate Defendant cannot provide a response to this request at this time but is continuing to make efforts to obtain this information.

INTERROGATORY NO. 3: Separately list the names, addresses, email addresses, website, and phone numbers of each and every individual or business for which you are currently performing services in the ordinary course of business.

ANSWER: Counsel for Separate Defendant cannot provide a response to this request at this time but is continuing to make efforts to obtain this information.

INTERROGATORY NO. 4: Please state any and all income from any source from the past two (2) years, whether earned, inherited, or otherwise, and state,

- (a) The name and address of the person, firm, corporation, or other entity from whom the income is received;

(b) The date(s) such income is due; and

(c) The amount of each.

ANSWER: Counsel for Separate Defendant cannot provide a response to this request at this time but is continuing to make efforts to obtain this information.

INTERROGATORY NO. 5: List each and every present or future interest in real estate belonging to you, state the county and State where each and every interest is located, state the legal description for each and every interest, and state the last known appraised value of each and every interest.

ANSWER: Separate Defendant objects to the extent the information requested is equally available to Plaintiffs without the assistance of Separate Defendant. Subject to and without waving the foregoing objections, counsel for Separate Defendant cannot provide a response to this request at this time but is continuing to make efforts to obtain this information.

INTERROGATORY NO. 6: Do you have any interest in a corporation, partnership, or trust? If so, state the name and address of each such corporation, partnership, or trust, and include the names, addresses and telephone numbers of all other shareholders, partners, settlers, trust protectors, trustees, and beneficiaries.

ANSWER: Counsel for Separate Defendant cannot provide a response to this request at this time but is continuing to make efforts to obtain this information.

INTERROGATORY NO. 7: List the make, model, year, and identification number, including but not limited to, VIN numbers, of each and every item of titled personal property to which you possess title, including but not limited to your vehicle(s), state an estimated value of each and every item of titled personal property, and state the basis for the estimated value for each and every item of titled personal property.

ANSWER: Counsel for Separate Defendant cannot provide a response to this request at this time but is continuing to make efforts to obtain this information.

INTERROGATORY NO. 8: List the make, model, year, and identification number, including but not limited to, VIN numbers, of each and every item of equipment you possess or own for use in the ordinary course of business, whether titled or untitled, for which you are not indebted to any other individual or business, and which you purchased for \$1,000.00 or more.

ANSWER: Counsel for Separate Defendant cannot provide a response to this request at this time but is continuing to make efforts to obtain this information.

INTERROGATORY NO. 9: Please list all assets owned by you, whether the assets are tangible, intangible, or mixed, and with respect to each asset, state the following:

- (a) Description of asset; and
- (b) Fair market value of assets.

ANSWER: Counsel for Separate Defendant cannot provide a response to this request at this time but is continuing to make efforts to obtain this information.

INTERROGATORY NO. 10: State whether you owe any debts that exceed \$500.00 to any person (including relatives), real or corporate. If so, state:

- (a) The name of the person or corporation;
- (b) The nature and amount of the debt;
- (c) The date on which the debt is due;
- (d) The amounts paid in reduction of the debt; and
- (e) identify any promissory note or other writing related to the debt.

ANSWER: Separate Defendant objects to this interrogatory on the basis that it seeks information not relevant to the enforcement of the judgment against Separate Defendant, as debts

owed by Separate Defendant do not tend to show monies or assets held by Separate Defendant to satisfy the judgment. Subject to and without waiving this objections, counsel for Separate Defendant cannot provide a response to this request at this time but is continuing to make efforts to obtain this information.

INTERROGATORY NO. 11: State whether you rent or have access to a safety deposit box titled in your name or in any other name. If so, state the name and address of the bank or other financial institution at which the safety deposit box is maintained, the name and address of the person under whose name the box is rented, and list and describe in detail the contents of the box as of the present day.

ANSWER: Separate Defendant objects to this interrogatory on the basis that it seeks information not relevant to the enforcement of the judgment against Separate Defendant to the extent it seeks the location and nature of assets owned by a party other than Separate Defendant. Subject to and without waiving this objection, counsel for Separate Defendant cannot provide a response to this request at this time but is continuing to make efforts to obtain this information.

INTERROGATORY NO. 12: List the fair market value of all of the following types of assets owned or attributable to you, in U.S. dollars.

- (a) Cash;
- (b) Cash surrender value of insurance;
- (c) Accounts receivable;
- (d) Notes receivable;
- (e) Merchandise inventory;
- (f) Real estate;
- (g) Furniture and fixtures;

- (h) Machinery and equipment;
- (i) Trucks and delivery equipment;
- (j) Automobiles;
- (k) Stocks, bonds, and other securities;
- (l) Pensions or annuities;
- (m) Gold;
- (n) Silver; and
- (o) Jewelry.

ANSWER: Counsel for Separate Defendant cannot provide a response to this request at this time but is continuing to make efforts to obtain this information.

INTERROGATORY NO. 13: List the fair market value of the following types of liabilities owed by you.

- (a) Loans on insurance;
- (b) Accounts payable;
- (c) Notes payable;
- (d) Mortgages;
- (e) Accrued real estate taxes; and
- (f) Judgments.

ANSWER: Counsel for Separate Defendant cannot provide a response to this request at this time but is continuing to make efforts to obtain this information.

INTERROGATORY NO. 14: Identify by name, address, email address, website, and telephone number each and every domestic and foreign bank and/or financial institution in which you have an account or over which you have signatory authority or other such control, and provide

the account number, type of account, and account balance from September 29, 2023, to present. In addition, identify the record owner or title of the account.

ANSWER: Separate Defendant objects to this interrogatory on the basis that it seeks information not relevant to the enforcement of the judgment against Separate Defendant to the extent it seeks the location and nature of assets owned by a party other than Separate Defendant. Subject to and without waiving this objection, counsel for Separate Defendant cannot provide a response to this request at this time but is continuing to make efforts to obtain this information.

INTERROGATORY NO. 15: Provide the following details regarding any and all insurance policies now in force and owned directly or indirectly by you:

- (a) Policy number;
- (b) Name of company; and
- (c) Amount of policy.

ANSWER: Counsel for Separate Defendant cannot provide a response to this request at this time but is continuing to make efforts to obtain this information.

INTERROGATORY NO. 16: Do you currently own, claim an interest in, or possess any real property? If your answer to this interrogatory is in the affirmative, state or identify:

- (a) The property's address;
- (b) The type of property (i.e. house, restaurant, etc.);
- (c) The cost of the property at the time purchased;
- (d) Present fair market value of the property;
- (e) Any encumbrances against the property and the balance, if any, of the encumbrance (i.e. mortgage, etc.);
- (f) How you titled the property upon its purchase or acquisition (i.e. "grantee"); and
- (g) How the property is currently titled.

ANSWER: Separate Defendant objects to this interrogatory on the basis that the information requested is equally available to Plaintiffs without the assistance of Separate Defendant to the extent the information requested is public record. Subject to and without waiving this objection, Counsel for Separate Defendant cannot provide a response to this request at this time but is continuing to make efforts to obtain this information.

INTERROGATORY NO. 17: If you do not own the property where you currently reside, set forth the name, address and telephone number of the person(s) who owns the residence, the amount of your rent, and the frequency with which your rent must be paid.

ANSWER: Separate Defendant objects to this interrogatory on the basis that it seeks information not relevant to the enforcement of the judgment against Separate Defendant, as debts owed by Separate Defendant do not tend to show monies or assets held by Separate Defendant to satisfy the judgment. Subject to and without waiving this objections, counsel for Separate Defendant cannot provide a response to this request at this time but is continuing to make efforts to obtain this information.

INTERROGATORY NO. 18: Identify every legal action in which you have been a party during the period in question, including, but not limited to the title of the action, the name of the court, the docket number or date the action was filed, a brief description of the nature of the action, and the result of the legal action (e.g. judgment of a certain amount).

ANSWER: Separate Defendant objects on the basis that interrogatory is ambiguous, as the phrase “period in question” is not defined. Separate Defendant further objects to this interrogatory on the basis that the information requested is equally available to Plaintiffs without the assistance of Separate Defendant to the extent the information requested is public record.

Separate Defendant will supplement his answer upon Plaintiffs' clarification of the ambiguous phrase.

INTERROGATORY NO. 19: If any person, firm, or business entity holds any property for your benefit, for each item of property state the name and address of such person, firm, or business entity; a description of the property held for your benefit; the conditions under which the property is held for your benefit; the approximate value of the property.

ANSWER: Counsel for Separate Defendant cannot provide a response to this request at this time but is continuing to make efforts to obtain this information.

INTERROGATORY NO. 20: Have you directly or indirectly transferred, conveyed or disposed of any cash, assets or other items of value with a cost or fair market value of \$1,000.00 or more during the period of September 29, 2023, to present? If your answer to this interrogatory is in the affirmative, provide the following information for each such item:

- (a) Description of property or asset;
- (b) Date of transfer;
- (c) Fair market value when transferred;
- (d) Consideration received;
- (e) Name and address of transferee; and
- (f) Your relation to transferee (i.e. seller, friend, brother).

ANSWER: Counsel for Separate Defendant cannot provide a response to this request at this time but is continuing to make efforts to obtain this information.

INTERROGATORY NO. 21: Please list all transfers made to and from the J.P. Morgan Chase bank account previously garnished in this lawsuit, account number ending in 0392, between September 29, 2023, and June 1, 2024 and, with respect to each transfer state the following:

- (a) Name of transfer originator;
- (b) Name of transfer recipient;
- (c) Date of transfer; and
- (d) Amount of transfer.

ANSWER: Counsel for Separate Defendant cannot provide a response to this request at this time but is continuing to make efforts to obtain this information.

INTERROGATORY NO. 22: Please list all transfers made to and from the J.P. Morgan Chase bank account previously garnished in this lawsuit, account number ending in 7865, between September 29, 2023, and June 1, 2024 and, with respect to each transfer state the following:

- (a) Name of transfer originator;
- (b) Name of transfer recipient;
- (c) Date of transfer; and
- (d) Amount of transfer.

ANSWER: Counsel for Separate Defendant cannot provide a response to this request at this time but is continuing to make efforts to obtain this information.

REQUEST FOR PRODUCTION NO. 1: Please produce all proof of income, revenue, paystubs or vouchers for all salary, wages, tips, or other form of payment, periodic or otherwise, regardless of source, including wages, salaries, commissions, and bonuses that you have received for the past two (2) years.

RESPONSE: Counsel for Separate Defendant cannot provide a response to this request at this time but is continuing to make efforts to obtain this information.

REQUEST FOR PRODUCTION NO. 2: Please produce copies of all documents evidencing any interest you possess in real property, including deeds, contracts for sale of real estate, and federal or state tax forms describing owing or paying of taxes.

RESPONSE: Counsel for Separate Defendant cannot provide a response to this request at this time but is continuing to make efforts to obtain this information.

REQUEST FOR PRODUCTION NO. 3: Please provide a copy of all documents evidencing any interest you possess in personal property with a fair market value of \$1,000.00 or greater, including title to vehicles, contracts for sale of personal property, and receipts.

RESPONSE: Counsel for Separate Defendant cannot provide a response to this request at this time but is continuing to make efforts to obtain this information.

REQUEST FOR PRODUCTION NO. 4: Please produce all documents, including but not limited to monthly, quarterly, or other periodic statements, cancelled checks, deposit slips, wire transfers, etc. regarding any domestic or foreign bank or other financial account, regardless of how such account is titled, over which you had signatory authority or other such control at any time during the period from September 29, 2023 to present, including the accounts referenced in Interrogatories 21 and 22.

RESPONSE: Counsel for Separate Defendant cannot provide a response to this request at this time but is continuing to make efforts to obtain this information.

REQUEST FOR PRODUCTION NO. 5: Please provide a copy of all insurance policies and declarations, including life, auto, umbrella, homeowner's, etc., maintained by you, your spouse, and on your behalf, regardless of whether you are the owner or beneficiary of the policy, in effect during the period in question.

RESPONSE: Separate Defendant objects on the basis that interrogatory is ambiguous, as the phrase “period in question” is not defined. Separate Defendant further objects on the basis that records requested are not relevant to the enforcement of the judgment against Separate Defendant to the extent Separate Defendant is not the owner or beneficiary of the policy. Separate Defendant will supplement his answer upon Plaintiffs’ clarification of the ambiguous phrase.

REQUEST FOR PRODUCTION NO. 6: Please provide copies of all financial statements and/or loan applications prepared by you or on your behalf during the period in question.

RESPONSE: Separate Defendant objects on the basis that interrogatory is ambiguous, as the phrase “period in question” is not defined. Separate Defendant will supplement his answer upon Plaintiffs’ clarification of the ambiguous phrase.

REQUEST FOR PRODUCTION NO. 7: All Forms 1099 sent (or will be sent) to you by anyone for the past two (2) years.

RESPONSE: Counsel for Separate Defendant cannot provide a response to this request at this time but is continuing to make efforts to obtain this information.

REQUEST FOR PRODUCTION NO. 8: Please provide a copy of any and all federal and state income tax returns for calendar years 2021, 2022, and 2023.

RESPONSE: Counsel for Separate Defendant cannot provide a response to this request at this time but is continuing to make efforts to obtain this information.

Respectfully Submitted,

Alexander D. Clark (2017112)
Rose Law Firm, P.A.
120 East Fourth Street
Little Rock, AR 72201
Phone: (501) 375-9131
Fax: (501) 375-1309

Email: aclark@roselawfirm.com

ATTORNEY FOR DEFENDANTS

CERTIFICATE OF SERVICE

I hereby certify that on July 19, 2024, I emailed the foregoing document to the following counsel:

Josh Sanford
Sanford Law Firm, PLLC
Kirkpatrick Plaza
10800 Financial Centre Pkwy, Ste 510
Little Rock, AR 72211
Phone: (800) 615-4946
Fax: (888) 787-2040
josh@sandfordlawfim.com

/s/ Alexander D. Clark
Alexander D. Clark